

REMARKS

Claims 1-3 are pending in the application. Claim 1 is herein amended.

Applicant's Response to Claim Rejections under 35 U.S.C. § 103

Claims 1 and 2 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ng (U.S. Patent No. 5,445,347) in view of Smith et al (U.S. Patent No. 5,931,877). This rejection is respectfully traversed.

The Office Action argues that **Ng** teaches requesting parts data information from a remote database and interactively communicating. The Office Action further relies on **Smith** to teach storing of information in an intermediate location at the user's site. In the response to Applicant's previous arguments, the Office Action states that "the features on which applicant relies (i.e., polling and order of retrieval of information) are not recited in the rejected claims." The Applicant wishes to point out that these features are elements of the cited art, not features of the claimed invention. See, for instance, column 2, lines 20-34 of **Ng**.

The Office Action appears to be relying on the disclosure in column 7, line 63 to column 8, line 36 of **Ng** and appears to argue that either the diagnostic expert system 86, the interactive technical data manager 88, and/or the spares manager 90 shown in Figure 5 is a database, and an unpictured portable computer (see column 7, lines 64-66) attached to the local area network 74 is regarded as the terminal, which appears to be able to access the diagnostic expert system 86, the interactive technical data manager 88, and/or the spares manager 90. However, it is unclear which of these the Office Action believes to be a part database. All three of these items are software programs stored in memory 82 which is connected to computer 70 of the maintenance

control center 28. See column 4, lines 46-52. Further, while Ng may disclose some functions of spares manager 90 relating to spare parts, Ng does not teach or suggest a retrieval means for retrieving parts from the stored part information depending on retrieval conditions, as recited by claim 1.

In addition, the present specification recites “[t]he part ordering means 16 creates order information depending on the result of the retrieval by retrieval means 15 and sends it to the communication network 3.” See page 9, lines 5-7. In contrast, the spares manager 90 of Ng does not disclose an ordering means for creating order information depending on the result of the retrieval by the retrieval means. For this reason, Applicant amends independent claim 1 in order to recite an ordering means for creating order information depending on the result of the retrieval by said retrieval means, thus further distinguishing the present claimed invention from the teachings of Ng.

Therefore, Applicant respectfully submits that the claimed invention is distinguishable from the disclosure of Ng and Smith, since neither of these references, singly or in combination, disclose or fairly suggest the features of claim 1 concerning *retrieval means for retrieving parts from the stored part information depending on retrieval conditions, and ordering means for creating order information depending on the result of the retrieval by said retrieval means*.

With regard to claim 2, the Office Action argues that the part information requesting means, the diagnostic expert system 86, transmits information on individual production machines. Applicant respectfully argues that that claim 2 is patentable due to its dependency on claim 1.

Claim 3 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Ng in view of Smith in further view of Official Notice. This rejection is respectfully traversed.

The Examiner has taken Official Notice as to the obviousness of the use of selection menus. The Office Action notes that our prior comments relating to claim 3 were not a proper traversal because they did not point out errors in the Office Action. It is respectfully submitted that the Office Action has failed to appreciate that claim 3 calls for the machine selection menu with the plurality of pieces of identification information to be displayed on the terminal so that a production machine can be selected from the displayed selection menu. Favorable reconsideration is respectfully requested.

Amendment After Final under 37 C.F.R. § 1.116
Serial No. 09/880,036
Attorney Docket No. 010734

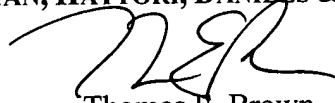
In view of the aforementioned amendments and accompanying remarks, Applicants submit that the claims, as herein amended, are in condition for allowance. Applicants request such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP



Thomas E. Brown

Agent for Applicant

Registration No. 44,450

Telephone: (202) 822-1100

Facsimile: (202) 822-1111

TEB/jl